

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

14 Cr. 68 (KBF)

- against - :

ROSS ULBRICHT, :

Defendant. :

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USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: FEB 05 2015

DEFENDANT'S SUPPLEMENTAL REQUESTS TO CHARGE

Supplemental Defense Instruction #1

I instruct you that law enforcement officers cannot qualify as co-conspirators.

Supplemental Defense Instruction #2

Even if you conclude beyond a reasonable doubt that Mr. Ulbricht was involved in the sale of mushrooms on the Silk Road site or otherwise in 2011, that alone would not be sufficient to establish his guilty on Counts One, Two, or Four, or his participation in any of the conspiracies charged in Counts Three and Seven.

Supplemental Defense Instruction #3

The undercover purchases by Homeland Security Investigations in Chicago, and any seizures made by Homeland Security Investigations in Chicago, are not by themselves sufficient to find Mr. Ulbricht guilty on any count.

Supplemental Defense Instruction #4

Even if you find that Mr. Ulbricht ordered fake identification documents, that is not evidence you can consider with respect to Count Six.

Supplemental Defense Instruction #5

In order to find Mr. Ulbricht guilty beyond a reasonable doubt, there must be evidence beyond the uncorroborated admission of the accused. It is necessary for the Government to introduce substantial independent evidence which would tend to establish the trustworthiness of any such statement. It is sufficient if the corroboration supports the essential facts admitted sufficiently to

justify an inference of their truth. Any independent facts plus the other evidence besides the admission must, of course, be sufficient to find guilt beyond a reasonable doubt.

Wong Sun v. United States, 371 U.S. 471, 488-89 (1963); *Oppen v. United States*, 348 U.S. 84, 93 (1954).

Dated: New York, New York
2 February 2015

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Ordered
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handwriting is the Court's.

2/5/15 K.B. Jr.
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